

VZCZCXRO1891
RR RUEHDT RUEHPB
DE RUEHWL #0424/01 3570319
ZNR UUUUU ZZH
R 220319Z DEC 08
FM AMEMBASSY WELLINGTON
TO RUEHC/SECSTATE WASHDC 5590
INFO RUEHNZ/AMCONSUL AUCKLAND 1816
RUEHBY/AMEMBASSY CANBERRA 5356
RUEHDN/AMCONSUL SYDNEY 0782
RUCNARF/ASEAN REGIONAL FORUM COLLECTIVE
RUEILB/NCTC WASHINGTON DC

UNCLAS SECTION 01 OF 03 WELLINGTON 000424

SIPDIS
SENSITIVE

STATE FOR STATE FOR EAP/ANP
PACOM FOR J01E/J2/J233/J5/SJFHQ
FOR S/CT; RHONDA SHORE AND NCTC

E.O. 12958: N/A
TAGS: [PTER](#) [ASEC](#) [PGOV](#) [PHUM](#) [KDEM](#) [NZ](#)
SUBJECT: NEW ZEALAND: 2008 COUNTRY REPORTS ON TERRORISM

WELLINGTON 00000424 001.2 OF 003

Compliance with International Instruments

11. (U) New Zealand attaches importance to its compliance with international counterterrorism instruments. It has ratified 12 of the 16 international instruments and maintains up-to-date reporting to the United Nations (UN). New Zealand uses the UN Global Counter-Terrorism Strategy as a key reference point.

12. (U) The 2002 Terrorism Suppression Act was amended in 2007 to create a generic offence for committing a terrorist act and streamline the process for designating terrorists (by law, New Zealand automatically lists those terrorist individuals and entities designated by UN Security Council's 1267 Committee). To date, New Zealand has designated 1277 United Nations listed terrorist entities. New Zealand has yet to designate any individuals or entities pursuant to UN Security Council Resolution 1373 (which imposes obligations on members' states to criminalize global terrorist activities).

Terrorist Funding Investigation

13. (U) Under the Financial Transaction Reporting Act 1996, financial institutions (note: which includes banks, money exchanges and casinos etc) are required to report transactions suspected of being linked to money laundering or proceeds of crime enforcement to the New Zealand Police Financial Intelligence Unit (FIU) based at Police National Headquarters in Wellington. In the year to June 30 2008, the FIU processed 1,848 Suspicious Transaction Reports (STRs) and referred 485 of these to various law enforcement agencies and units for investigations. Over the same period, the FIU did not receive any Suspicious Property Reports pursuant to the 2002 Terrorism Suppression Act.

Combating Nuclear Terrorism

14. (U) New Zealand endorsed The Global Initiative to Combat Nuclear Terrorism (GICNT) in November 2007 and has attended one major meeting, the June 2008 Political Meeting. New Zealand is presently working on planned contributions to the GICNT, which include: hosting a workshop for Pacific Island Countries (PICs) in April/May 2009 on security and safety of radiological material; increasing the regular contribution to the International Atomic Energy Agency's Nuclear Security Fund; and exploring possibilities for a modest contribution to nuclear and radiological security in Southeast Asia. New Zealand is also looking into hosting a tabletop exercise for

local agencies in 2009 with the aim of ensuring appropriate systems are in place to respond to the event of a nuclear/radiological terrorist event in New Zealand.

¶15. (U) New Zealand has not ratified the Nuclear Terrorism Convention and the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material. Nevertheless, the new offences obliged by the two treaties - concerning the use of radioactive material and radioactive devices - were added to the Terrorism Suppression Act in 2007.

NZ Support in Afghanistan

¶16. (U) New Zealand remained active in Operation Enduring Freedom in Afghanistan, working with coalition partners in undertaking Maritime Security Operations. New Zealand commands the Provincial Reconstruction Team (PRT) in Afghanistan's Bamyán Province, currently as part of NATO's International Security Assistance Force (ISAF). The New Zealand Defence Force (NZDF) is mandated up to 140 personnel as part of NZ Provincial Reconstruction Team (NZ PRT) in Afghanistan. From February 25-26, Habiba Sarabi, the governor of Bamyán province, was in Wellington where she met with government officials to discuss the need for more troops. This was followed by an announcement from the government that the NZ PRT will be extended until September 2009. In October, 132 NZDF personnel left to serve in Bamyán and Bagram. This 13th rotation will remain in Afghanistan for six months. Three New Zealand Police are based in Bamyán working with the European Police Mission in Afghanistan). At the Paris Conference in June, New Zealand pledged USD11 million in aid to 2012.

¶17. (U) In September, a 172 strong contingent from the NZDF's 2/1st Infantry Battalion travelled to Germany to participate in Exercise Cooperative Spirit, a multinational exercise intended to test and improve interoperability and strengthen ties amongst American, British, Canadian, Australian and New Zealand Armies.

WELLINGTON 00000424 002.2 OF 003

Addressing Security in the Pacific

¶18. (U) New Zealand assists PICs' understanding of, and compliance with, the international counterterrorism agenda. Strong focus is given to legislative and operational capacity-building projects many of which are funded through the Pacific Security Fund, an interagency pool of money to advance or protect New Zealand's security interests by reducing risks from threats arising in or operating through PICs.

¶19. (U) In previous years New Zealand has provided assistance to PICs in meeting their UN reporting obligations pursuant to UN Security Council Resolutions 1267, 1373, and 1540. In 2008, New Zealand has been actively engaged in Counterterrorism and security related projects with PICs but none specifically related to their UN reporting obligations. New Zealand instead preferred to focus on providing capacity building assistance and support for the development of Counterterrorism legislation among PICs. New Zealand convenes and chairs the annual Pacific Islands Forum Working Group on Counter-Terrorism (WGCT) which provides an opportunity for PICs to receive up-to-date information on the international counter-terrorism regime and to coordinate technical assistance projects to assist their compliance with UN Security Council reporting obligations. At the June 2008 meeting of the WGCT, New Zealand made an offer to PICs to provide assistance with UN reporting.

Promoting Counterterrorism and Dialogue in Asia

¶10. (U) New Zealand also promotes counter-terrorism capacity building and a range of and regional security initiatives through the Asia Security Fund. The Fund supports projects implemented by a range of partners, including regional counter-terrorism centers such as the Jakarta Centre for Law Enforcement Cooperation in Indonesia and the South East Asia Regional Centre for Counter Terrorism in Malaysia.

¶11. (U) New Zealand's counter-terrorism efforts are reinforced by its engagement in interfaith and inter-cultural initiatives aimed at

countering radicalization and terrorist recruitment. New Zealand (with Australia, Indonesia and the Philippines) co-sponsors the Asia-Pacific Regional Interfaith Dialogue. The Dialogue involves religious and community leaders from 15 countries from South East Asia and the Pacific and aims to foster tolerance, reinforce moderate religious views and isolate religious extremism. New Zealand hosted the third Dialogue at Waitangi, New Zealand in May 2007. New Zealand also supports the UN-led Alliance of Civilisations (AOC) initiative which has developed a framework for practical action to bridge divides and improve relations between faiths, societies and cultures, particularly between Islam and the West. New Zealand convened a Symposium in May 2007 to focus regional attention on the AOC Report's recommendations in the four "fields of action" - education, youth, media and migration.

Engagement in the PSI

¶12. (U) New Zealand has participated in the Proliferation Security Initiative (PSI) since 2004, and is a member of the Operational Experts Group (OEG). In February, New Zealand attended and presented at the London OEG meeting and the Gulf/Levant Outreach Workshop. In May, New Zealand officials attended and presented at 5th Anniversary Senior Level Meeting and Outreach Workshop in Washington. In September, New Zealand sent officials to present at Paris OEG meeting. New Zealand officials also gave a PSI presentation to the Asian Senior Officials Talks on Proliferation in Tokyo in April. In June, it gave a PSI presentation to Pacific Islands Forum Working Group on Counter-Terrorism and raised PSI at the Pacific Islands Forum Regional Security Meeting in Suva. New Zealand's bilateral PSI outreach in 2008 included to Indonesia (Feb and March), Laos (March and November), Chile (March), Brazil (March), Thailand (April), Cambodia (April), Egypt (April), Republic of Korea (April), and several Pacific Island countries - Vanuatu, Solomon Islands, Fiji, Tonga, Samoa (August - November).

¶13. (U) From September 13-19, the New Zealand Customs Service hosted an international PSI exercise (Exercise MARU) in Auckland for delegates from 27 countries. MARU had a strong customs and law enforcement focus. It consisted of several phases, including live exercises dealing with maritime interception and interdiction, port search demonstrations, and a tabletop exercise.

Effects of 2007 Police Raids Continue

WELLINGTON 00000424 003.2 OF 003

¶14. (U) On October 15, 2007, New Zealand police arrested 17 people and seized a number of weapons, including semi-automatic weapons and petrol bombs, during a series of raids throughout the country and referred evidence against 12 of the 17 people for additional possible prosecution under the Terrorism Suppression Act (TSA), the first time the Act had been invoked since it became law in 2002. Solicitor-General Dr. David Collins declined TSA prosecution but nonetheless prosecuted the arrestees under the Firearms Act. On October 17 2008, one of the 17 initially arrested in the October 15 raids, Rongomai Pero Bailey (aka) Simon Bailey, was acquitted of all firearms charges because of insufficient evidence. The 16 remaining arrestees, all out on bail, have their next court date on February 17, 2009. All have been excused from appearing in court provided they are represented by a lawyer.

¶15. (U) In April 2008, the Solicitor-General Collins took contempt of court proceedings against Fairfax Media and Dominion Post newspaper Editor Tim Pankhurst, for publishing 13 extracts in November 2007 from conversations recorded during police surveillance of people suspected of terrorism. The matter is still before the courts.

Funding Sought for Enhanced In-Flight Security

¶16. (U) In December, the NZ Police made a request to the new Police Minister, Judith Collins, for funding to enable officers of the elite Special Tactics Group (STG) to provide covert in-flight security on 2.5 percent of all flights to or over the United States. The request followed the passage the 2007 Aviation Security Legislation Bill which allowed armed police on flights to meet

international aviation security standards. The Police do not discuss whether members of the STG, established after the September 11 2001 attacks, currently operate on flights. However, the Ministry of Transport, responsible for the international air marshal arrangements, stated that no security officers had been used on flights. The Ministry is current conducting a review of domestic flight security after an alleged attempted hijacking of a small commuter flight in February, in which two pilots received minor injuries.

First Hijack Attempt in New Zealand History Fails

¶17. (U) In February, Somalia-born Asha Ali Abdille, gained entry to the cockpit of an Eagle Air Jetstream J32 domestic flight. The 33-year old woman was armed with a knife and demanded that the pilots take the plane - which was only flying the short trip from Blenheim to Christchurch - to Australia. She also allegedly made bomb threats. The cockpit crew both suffered injuries in the confrontation to overpower the woman. One pilot received knife cuts to his hands and the other a foot injury. Despite the altercation, both pilots were able to safely land the aircraft at Christchurch airport where the assailant was arrested by waiting police. All seven passengers were unharmed. The alleged hijacker is in custody and has been committed to trial in 2009. She faces a charge of hijacking, taking an offensive weapon onto an aircraft, and four charges of wounding or injuring with reckless disregard for safety.

Embassy Wellington Contact

¶18. (U) Embassy Wellington's point of contact is Political-Economic Counselor Peggy McKean - McKeanMB@state.gov ; +64 4 462 6063.

KEEGAN